



## **Joint Policy Committee**

Friday, September 22, 2006  
10:00 a.m. to 12:00 Noon  
MetroCenter Auditorium  
101 Eighth Street, Oakland

### **AGENDA**

1. Call to Order
2. Approval of Joint Policy Committee Meeting Minutes of July 21, 2006 (attached) Action
3. Bay Area Regional Position on Planning and CEQA (attached) Action  
At its July 21<sup>st</sup> meeting, the Committee directed that the Regional Planning Program Director prepare a letter reflecting the JPC's discussion on CEQA reform. The attached staff memo transmits a draft letter and recommends it be sent to Senator Torlakson.
4. Focusing Our Vision (FOCUS) Progress Report (attached) Action  
The attached memo summarizes progress since the last JPC meeting and recommends amendments to the Bay Area's Smart Growth Policies to reflect emergent concerns. Staff will demonstrate information technology which is assisting in the identification of priority areas and which highlights some important future policy choices.
5. Other Business
6. Public Comment
7. Adjournment

### **NEXT SCHEDULED MEETING:**

10:00 a.m. to Noon  
Friday, November 17, 2006  
MetroCenter Auditorium  
101 Eighth Street, Oakland

The JPC may take action on any item listed in the agenda.
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This meeting is scheduled to end promptly at 12:00 Noon. Agenda items not considered by that time may be deferred.

The public is encouraged to comment on agenda items by completing a request-to-speak card and giving it to JPC staff or the chairperson.

Although a quorum of the Metropolitan Transportation Commission may be in attendance at this meeting, the Joint Policy Committee may take action only on those matters delegated to it. The Joint Policy Committee may not take any action as the Metropolitan Transportation Commission unless this meeting has been previously noticed as a Metropolitan Transportation Commission meeting.



**Association of Bay Area Governments  
Bay Area Air Quality Management District  
Metropolitan Transportation Commission**

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## **Joint Policy Committee**

### **Minutes of the Meeting of July 21, 2006 Held at 10:00 AM in the MetroCenter Auditorium, Oakland**

#### **Attendance:**

##### **ABAG Members:**

Mark Green  
Scott Haggerty  
Steve Rabinowitsh  
Gwen Regalia

##### **BAAQMD Members:**

Chris Daly  
Mark DeSaulnier  
Jerry Hill  
Patrick Kwok  
Pamela Torliatt  
Gayle Uilkema

##### **MTC Members:**

Steve Kinsey  
Sue Lempert  
Jon Rubin, Ch.  
Shelia Young

##### **ABAG Staff:**

Gillian Adams  
Marisa Cravens  
Paul Fassinger  
Henry Gardner  
Patricia Jones  
Janet McBride  
Christy Riviere  
Jonathan Strunin

##### **BAAQMD Staff:**

Jean Roggenkamp

##### **MTC Staff:**

Frank Harris  
Steve Heminger  
Therese McMillan

##### **Other:**

Moira Birss, Housing Leadership Council  
Eloise Bodine, Bay Area Monitor  
Linda Craig, League of Women Voters  
Jean Finney, Caltrans, District 4  
Richard Hedges, EDAC  
Bruce Kern, East Bay EDA  
Steve Lowe, WOCA  
Peter Lydon, SPUR  
Andrew Michael, Bay Area Council  
Bob Planthold, MTC Advisory Council  
Allison Quaid, Bay Area Alliance for Sustainable Communities  
John Rudolph, WCCTAC  
Bill Sandbrick, Fremont Chamber of Commerce  
David Schonbrunn, TRANSDEF  
Jeff Schwob, City of Fremont  
Leslie Stewart, Bay Area Monitor

##### **JPC Staff:**

Ted Droettboom

1. Call to Order

Chair Rubin called the meeting to order.

2. Approval of Joint Policy Committee Meeting Minutes of May 19, 2006

The minutes of the previous meeting were approved.

3. Bay Area Regional Position on CEQA Reform

Ted Droettboom summarized the staff report.

In discussion, committee members noted that CEQA fulfilled many important functions, particularly providing an essential forum for public involvement in projects at the local level. While acknowledging CEQA's benefits to environmental protection and public process, others noted that the process was not perfect and that there were some opportunities for streamlining and improvement. There was a general recognition that the issue was complicated and multi-faceted and, therefore, not susceptible to simple solutions. Any meaningful improvement to CEQA had to be thoughtful and comprehensive. The Committee was willing to participate in working through a careful, comprehensive review, but it was loathe to suggest partial patches.

The benefits of integrated regional and local planning processes in working through consequential physical and social environmental issues prior to project-specific CEQA were noted. Improved, strengthened and integrated planning was cited as the most promising avenue for exploration. Further use of exemptions was generally not favored.

The Committee directed the Regional Planning Program Director to draft a letter reflecting its discussion for consideration at the JPC's September meeting.

4. One-year Interim Evaluation of MTC Resolution 3434 TOD Policy and Industrial Land-use Conflicts (attached)

Doug Kimsey presented the staff report. He noted that, while completion of station-area plans is still a year away for most corridors, it should be possible to meet the required housing thresholds. In addition, research is confirming that increased housing within one-half mile of stations will have a substantial impact on transit ridership.

He further noted that the corridor approach to thresholds made it possible to achieve housing objectives without compromising industrial uses. It

was proving feasible, for example, to protect NUMMI at the Warm Springs station, by directing housing development to other stations on the BART to San Jose corridor. A representative of the City of Fremont confirmed that the city's plans would not impact NUMMI, though flexible infrastructure would be in place to accommodate alternative uses should NUMMI change its own plans in the long-term future.

It was also confirmed that, even with an emphasis on housing thresholds for Resolution 3434 stations, on a system-wide basis, jobs would continue to outnumber households at station areas by several fold. In at least one committee member's jurisdiction, achieving the housing threshold had involved the loss of some commercial uses, but the member judged the compromise to be a net benefit.

Committee discussion concentrated on the one-half-mile radius around stations to which the housing threshold is applied. While the greatest increment in ridership will come from the half-mile area, higher density housing within a mile can also contribute, particularly if walk and transit connections are easy and convenient. TOD policy will continue to emphasize the one-half-mile radius, but complementary guidelines and incentives may be useful in encouraging appropriate development and connections beyond the threshold area.

The Committee requested that a future JPC meeting include a presentation from the City of Dublin on what it is doing around its present and future BART stations.

## 5. Focusing Our Vision (FOCUS) Progress Report

Ted Droettboom reported that the FOCUS program had entered a technical phase during which regional staff, together with the Technical Advisory Committee, would use a layering analysis of spatial data to identify first-draft priority development areas. These draft areas would provide a starting point for collaboration with local governments.

Mr. Droettboom then made a presentation on four recent reports which dealt with topics related to the FOCUS program. A copy of the presentation is on the JPC website. The Greenbelt Alliance clarified the purpose of its reports, noting that the purpose was not to halt greenfield development but to ensure that it happened in an efficient, resource-conserving way. A housing advocate worried that we were not doing enough to provide housing for those with very low incomes, who cannot even qualify for inclusionary housing. It was suggested that more public subsidies, perhaps shared among jurisdictions, were required.

6. Other Business

There was no other business.

7. Public Comment

The Committee was asked to agendize a discussion on doing more to improve air quality, noting that recent improvements may have been the result of ephemeral job reductions and climatic conditions. The Chair so directed.

The Committee was invited to attend the meeting of Bay Area Alliance for Sustainable Communities meeting on September 21<sup>st</sup>. That meeting will review best practices for sustainable development and discuss how State legislation and incentives could contribute.

8. Adjournment



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## **Joint Policy Committee / Regional Planning Program**

Date: September 14, 2006  
To: Joint Policy Committee  
From: Regional Planning Program Director  
Subject: Bay Area Regional Position on Planning and CEQA

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At its meeting of July 21, 2006, in response to a request from State Senator Tom Torlakson, the JPC discussed a regional position on CEQA reform related to the facilitation of infill development. The JPC directed the Regional Planning Program Director to draft a letter reflecting is discussion for consideration at the Committee's September meeting. A draft letter is attached.

I RECOMMEND:

THAT the Joint Policy Committee authorize the Committee Chair to sign the attached letter and forward it to Senator Torlakson on the Committee's behalf.



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## **Joint Policy Committee**

Senator Tom Torlakson  
State Capital  
Room 4032  
Sacramento, California 95014

Dear Senator Torlakson:

### Infill Housing, CEQA Reform and Community Planning

At a hearing of the Senate Select Committee on California Infrastructure, you asked whether the Bay Area's regional agencies had a position on CEQA reform as it relates to the facilitation of infill housing development.

As you know, the Bay Area's Joint Policy Committee (JPC) coordinates the regional planning activities of the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), and the Metropolitan Transportation Commission (MTC). The JPC is composed of local-government appointees, mostly elected officials, who serve on the governing bodies of each of the member agencies.

Among the JPC's responsibilities are implementation and refinement of the Bay Area's *Network of Neighborhoods Vision*, the first smart-growth strategy for a California metropolitan area. Our regional Vision supports and encourages infill housing development. Infill uses existing infrastructure, is more likely to be efficiently served by transit, contributes to jobs/housing balance, helps revitalize existing communities, and does not consume sensitive or productive land resources.

The JPC discussed your question at its July and September meetings. We observed that affected neighborhoods often use project-specific CEQA as a forum for their concerns about infill projects. Sometimes this results in an unintended negative consequence for the regional environment. For instance, there is a tendency to mitigate local environmental impacts by reducing project densities. In a context of continuing growth, housing not accommodated within existing communities at moderately higher densities will be built on far-flung greenfields, usually at lower densities. This may consume more environmentally sensitive or agriculturally valuable land and put more cars on the road for longer distances.

Communities frequently turn to project-specific CEQA because they lack more positive instruments to direct and manage change. The reactive CEQA process has become a substitute for a more proactive planning process. This leads us to our principle conclusion: we may need to reform CEQA, but we need first to restore high-quality, participative planning to our regions, cities, and local communities.

Over the next couple of decades, the population of California is projected to increase by another third. Present Californians clearly want to participate in shaping where this growth goes and



how it is accommodated with new public and private investment. It is not sufficient to involve them on a project-by-project basis. Preparing for California's growth requires an integrated system of regional, general, and neighborhood planning. And this system needs to encourage meaningful public involvement at all levels. Implemented in a serious and properly resourced way, this would help change the question from "What don't we like about this project?" to "What kind of place do we want to become?"

Proposition 1C on the November ballot includes \$850 million for a Regional Planning and Infill Incentive Account. Should the voters approve this bond, we urge you to consider directing a sizable amount of the funding toward public-responsive planning. We believe that this is required in addition to the planning money which may be approved as part of Proposition 84. Restoring meaningful, participative planning to California will help restore confidence in the future for our existing communities while also providing greater certainty for the housing development industry.

We would welcome the opportunity to work with you and your colleagues on ways in which the state could encourage, and ensure continuing funding, to planning suitable to the growth challenges facing California and its regions.

Sincerely,

Jon Rubin  
Chair  
Joint Policy Committee



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## Joint Policy Committee / Regional Planning Program

Date: September 14, 2006

To: Joint Policy Committee

From: Regional Planning Program Director

Subject: *Focusing Our Vision* Progress and Proposed Amendments to Smart-Growth Policies

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This memo provides a brief report on progress on the *Focusing Our Vision (FOCUS)* program since the JPC last met in July. It also recommends amendments to the Bay Area's Smart-Growth Policies to reflect concerns that have increased in salience since those policies were adopted in 2002.

### Spatial Modeling

With the Technical Advisory Committee (TAC), and with input from the ABAG Regional Planning Committee, we have refined criteria for identifying Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs). Using geographical-information-system (GIS) technology, we have developed region-wide map layers with graphical data representations of the criteria; and the TAC and we are working at assessing, weighting, and overlaying these layers to identify likely candidates for Priority Area designation. Actual designation will occur through direct collaboration with potentially affected localities.

At the September 22<sup>nd</sup> JPC meeting, staff will provide a real-time demonstration of spatial modeling techniques. The demonstration will also show our nascent capability of stitching together a default regional plan from the general plans of local jurisdictions. Some JPC members have expressed an interest in this tool.

### Goals, Strategies and Proposed Amendments to Smart-Growth Policies

The criteria for PDA and PCA identification are constructed as goals and strategies. Each strategy has associated with it one or more geographic data layers, which when combined via our spatial model point to potential Priority Areas.

Attachment A to this memo lists the goals and strategies we are using for *Focusing Our Vision*. Most of these are based on adopted regional policy as expressed in the *Smart Growth Preamble and Policies* (Attachment B). This official expression of regional policy was adopted by four of the five Bay Area regional agencies (ABAG, BAAQMD, BCDC, and MTC) in 2002 upon the completion of the *Smart Growth Strategy / Regional Livability Footprint Project* (the *Project*).

However, a few goals and strategies do not have clear referents in adopted policy. These new goals and strategies reflect issues and concerns that have risen in prominence since 2002. The areas of potentially expanded regional policy are italicized in Attachment A.

Regional and local collaboration around specific Priority Areas will benefit from regional policy that has been officially sanctioned by elected policy-makers. Therefore, we are recommending that the *Smart Growth Preamble and Policies* be formally amended to incorporate policy intent relevant to these emergent issues and concerns.

We believe new policy is required on the following topics:

1. Health and Safety

Last year the California Air Resource Board (CARB) released its *Air Quality and Land-Use Handbook* and the JPC received a presentation from CARB staff. The *Handbook's* recommendations are consistent with concerns that have also been highlighted by the environmental-justice community and are the subject of BAAQMD's Community Air Risk Evaluation (CARE) program. All suggest that development needs to be carefully sited relative to local sources of air pollution, including highways and ports. The 100<sup>th</sup> anniversary of the San Francisco earthquake, increased worries about the stability of the region's levees, and the prospect of sea-level rise as the result of global warming have also reminded us that we live in region with significant environmental risks. To the extent, possible, we need to heed these risks when locating new development and population concentrations. The potential impact of development form on physical exercise and the onset of obesity also deserves some recognition.

2. Economic Activity and Goods Distribution

The *Smart Growth Strategy / Regional Livability Footprint Project* was started at a time when the Bay Area economy was booming, and it is likely that the impact of the dot-com bust had not fully sunk in when the *Project* wound down in 2002. For whatever reason, economic development issues do not enjoy high standing in either the *Project's* final report or in the *Preamble and Policies*. Since 2002, the region's goods movement study and some local planning exercises have pointed to potential land-use competition between "smart" residential development and goods-distribution facilities. Our transit-oriented development work has also highlighted possible conflicts between proposed residential densities and established industrial activities; and there has been a general concern about residential development foreclosing opportunities for job generators. A policy sensitive to these economic concerns is appropriate.

3. Land for Future Urban Development

The *Project* and the resultant *Policies* emphasize infill development and re-development within existing cities and towns. This is appropriate and desirable. However, even with copious infill, future regional growth will likely require some totally new communities developed on greenfield. Planning these new communities to conserve natural re-

sources, to reduce trip demand through mixed and multiple uses, and to achieve densities appropriate to transit service will be more difficult if the greenfield is prematurely subdivided and developed at low densities (so-called parcelization). It is the region's interest to maintain a relatively un-subdivided and undeveloped "urban reserve" to facilitate the planning and development of new compact and complete communities in the future.

4. Conservation of aesthetic, historic and cultural resources

As the Bay Area matures, there is an increasing interest in protecting unique aspects of its cultural heritage in addition to its natural environment. Amending the policy relating to environmental conservation makes it clear that we may consider culturally significant resources in designating priority areas.

## RECOMMENDATION

### I RECOMMEND:

- A. THAT the Joint Policy Committee endorse the addition of the following policies to the officially adopted *Smart Growth Preamble and Policies*:

**Health and Safety**

Promote and protect public health and safety by locating and designing development with sensitivity to natural and man-made risks, by reducing these risks where appropriate and feasible, and by facilitating healthy and safe behaviors.

**Economic Activity and Goods Distribution**

Encourage planning and development that respects the public and private infrastructure required for the maintenance of a prosperous regional economy and for the efficient provision and distribution of goods and services.

**Future Urban Development**

Reserve land for the future creation and extension of complete communities developed at efficient urban densities, encompassing a range of uses and services required to meet the daily needs of residents and providing proximate employment opportunities as appropriate.

- B. THAT the Joint Policy Committee endorse an amendment to the policy on Environmental, Natural Resource, Open Space and Agricultural Preservation to add the following sentence at the end:

Protect scenic, historic, and cultural resources that contribute to the region's identity.

- C. THAT the Joint Policy Committee recommend and refer the above additional policies and policy amendment to the Association of Bay Area Governments Executive Board, to the Bay Area Air Quality Management District Board, to the Bay Conservation and Devel-

opment Commission, and to the Metropolitan Transportation Commission for formal adoption as regional policy.

## **Attachment A**

### **Focusing Our Vision**

#### **Goals and Strategies**

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August 2006

#### **Goals to Advance the Regional Vision**

- Strengthen and support unique existing communities
- Create compact, healthy communities with a diversity of housing, jobs, activities, and services to meet the daily needs of residents
- Increase housing supply and choices
- Improve housing affordability
- Increase transportation efficiency and choices
- Protect and steward natural habitat, open space, and agricultural land
- Improve social and economic equity
- Promote economic and fiscal health
- Conserve resources, promote sustainability, and improve environmental quality
- *Protect public health and safety*

#### **Priority Development Area Strategies**

- Encourage infill and the efficient use of land capacity within existing communities
- Provide for compact, complete, resource-efficient communities near existing or planned transit and other infrastructure
- Provide opportunities for people to live near their jobs and work near their homes
- Encourage a mix of land uses with jobs, housing, retail, schools, parks, recreation, and services in proximity
- Locate development in areas served and likely to be served by frequent passenger rail, bus, and/or ferry service
- Support community revitalization without displacing current residents
- Ensure that all socio-economic groups benefit from regional change
- Use existing infrastructure capacity and maximize return on new infrastructure investments
- *Maintain goods movement corridors and retain land uses that support related distribution and industrial uses*
- *Direct development so as to promote and protect public health and safety, avoid hazards, and/or mitigate development impacts*
- Reduce the number and length of auto trips and facilitate walking and biking
- *Reserve land to accommodate future growth at appropriate densities*

#### **Priority Conservation Area Strategies**

- Maintain the productive function of lands for agriculture and other resource needs
- Protect and restore wildlife corridors and habitat
- Preserve the natural flow and recharge of water and support ecosystem processes
- *Protect scenic, historic, and cultural resources that contribute to the region's identity*
- Protect and enhance significant open space and recreation areas and networks

Note: Goals and strategies are listed in no particular order and are not ranked. Italicized items do not have referents in existing official regional policy.

## ***Attachment B***

# **SMART-GROWTH PREAMBLE AND POLICIES**

## **Preamble**

Current land-use patterns in the San Francisco Bay Area are putting intense pressure on the economic, environmental and social wellbeing of the Bay Area and of surrounding regions. The projected addition of over one million new residents and one million new jobs in the coming decades will further challenge our ability to sustain the high quality of life we enjoy today.

To help meet this challenge, the five regional agencies of the Bay Region—the Association of Bay Area Governments, Bay Area Air Quality Management District, Bay Conservation and Development Commission, Metropolitan Transportation Commission and the Regional Water Quality Control Board—along with the economy, environment and social equity caucuses of the Bay Area Alliance for Sustainable Communities, developed a set of Smart Growth policies.

The policies reflect the values articulated by workshop participants of the Smart Growth Strategy/Regional Livability Footprint Project and address Bay Area conditions. The policies are consistent with widely accepted notions of smart growth. They are meant to encourage meaningful participation from local governments, stakeholders and residents.

The policies provide a framework for decision-making on development patterns, housing, transportation, environment, infrastructure, governmental fiscal health and social equity that can lead us toward development of vibrant neighborhoods, preservation of open space, clean air and water, and enhanced mobility choices, while enhancing the Bay Area's relationship with surrounding regions.

## **Policies**

### **Jobs/Housing Balance and Match**

Improve the jobs/housing linkages through the development of housing in proximity to jobs, and both in proximity to public transportation. Increase the supply of affordable housing and support efforts to match job income and housing affordability levels.

### **Housing and Displacement**

Improve existing housing and develop sufficient new housing to provide for the housing needs of the Bay Area community. Support efforts to improve housing affordability and limit the displacement of existing residents and businesses.

### **Social Justice and Equity**

Improve conditions in disadvantaged neighborhoods, ensure environmental justice, and increase access to jobs, housing, and public services for all residents in the region.

### **Environmental, Natural Resource, Open Space and Agricultural Preservation**

Protect and enhance open space, agricultural lands, other valued lands, watersheds and ecosystems throughout the region. Promote development patterns that protect and improve air quality. Protect and enhance the San Francisco Bay and Estuary.

**Mobility, Livability and Transit Support**

Enhance community livability by promoting infill, transit oriented and walkable communities, and compact development as appropriate. Develop multi-family housing, mixed-use development, and alternative transportation to improve opportunities for all members of the community.

**Local and Regional Transportation Efficiencies**

Promote opportunities for transit use and alternative modes of transportation including improved rail, bus, high occupancy (HOV) systems, and ferry services as well as enhanced walking and biking. Increase connectivity between and strengthen alternative modes of transportation, including improved rail, bus, ride share and ferry services as well as walking and biking. Promote investments that adequately maintain the existing transportation system and improve the efficiency of transportation infrastructure.

**Infrastructure Investments**

Improve and maintain existing infrastructure and support future investments that promote smart growth, including water and land recycling, brownfield clean-up and re-use, multi-use and school facilities, smart building codes, retention of historic character and resources, and educational improvements.

**Local Government Fiscal Health**

Improve the fiscal health of local government by promoting stable and secure revenue sources, reduced service provision costs through smart growth targeted infrastructure improvement, and state and regional sponsored fiscal incentives. Support cooperative efforts among local jurisdictions to address housing and commercial development, infrastructure costs, and provision of services.

**Cooperation on Smart Growth Policies**

Encourage local governments, stakeholders and other constituents in the Bay Area to cooperate in supporting actions consistent with the adopted Smart Growth policies. Forge cooperative relationships with governments and stakeholders in surrounding regions to support actions that will lead to inter-regional Smart Growth benefits.